

Staff Summary Report



To: Mayor and City Council
Through: City Manager

Agenda Item Number 37
Meeting Date: 01/11/01

SUBJECT: ACE HARDWARE #SGF-2000.78

PREPARED BY: DeeDee (D²) Kimbrell, Planner I (480-350-8331)

REVIEWED BY: Dave Fackler, Development Services Manager (480-350-8333)

BRIEF: This is the first public hearing for Ace Hardware for a 5th and 6th Amended General and Final Plan of Development for Broadway Market Place at 929 East Broadway Road.

COMMENTS: **PLANNED DEVELOPMENT (0406)** Hold the first public hearing for **ACE HARDWARE** (Weingarten Realty Management, property owner) for a use permit of an outdoor retail at 929 East Broadway Road. The following approval is requested from the City of Tempe:

#SGF-2000.78 5th and 6th Amended General and Final Plan of Development for Broadway Market Place, consisting of 92,885 s.f. building area on 8.37 net acres at 929 East Broadway Road, including the following:

Use Permit:

Allow a 4,644 s.f. outdoor retail area in the PCC-1 Zoning District.

Document Name: 20010111devsrh10

Supporting Documents: Yes

SUMMARY: Ace Hardware is located at the southeast corner of Rural and Broadway Roads within the Broadway Marketplace. This request is to expand the existing Ace Hardware facility 4,644 s.f. and a use permit to allow outdoor retail in the PCC-1 Zoning District. The expansion will be an open sided area with a covered roof located at the rear of the store and shopping center (similar to Home Depot type of exterior areas with the exception of landscaping material). The expansion will also be compatible to the existing shopping center. It will have a low masonry wall (to match the existing center) with rough iron fencing up to a minimum of 10' above the ground with a roof above. With conditions staff supports the project, and to date, no public input has been received. Planning Commission approved this proposal by a 7-0 vote on their consent agenda, at their meeting on November 28, 2000.

RECOMMENDATION: Staff – Approval
Public – None to date

- ATTACHMENTS:**
1. List of Attachments
 2. History & Facts
 3. Description / Comments / Reason(s) for Approval
 4. Conditions of Approval
 5. Location Map
 6. Site Plan
 7. Floor Plan
 8. Elevations
 9. Letter of Explanation/Intent
 10. Previously approved Plan

HISTORY & FACTS:

<u>March 1965.</u>	City Council approved the first phase of Tempe East Shopping Center, Unit 2. (Unit 1 of this site, was the service station at the northwest corner.)
<u>June 24, 1969.</u>	City Council approved a rezoning from R1-6 to PCC-1 for this site.
<u>February 14, 1975.</u>	City Council approved a Final Development Plan for the Western Auto building.
<u>February 9, 1984.</u>	City Council approved the Amended General Plan of Development for Tempe East Shopping Center.
<u>January 14, 1986.</u>	Planning Commission approved for Trammel Crow an Amended General and Final Plan of Development for Broadway Marketplace.
<u>January 15, 1986.</u>	Design Review Board approved the requests for elevations, site and landscaping plans for Broadway Marketplace.
<u>February 20, 1986.</u>	City Council approved for Trammel Crow an Amended General and Final Plan of Development for Broadway Marketplace.
<u>May 6, 1986.</u>	Design Review Board approved the request for a sign package for Broadway Marketplace.
<u>June 24, 1987.</u>	Board of Adjustment approved the following variances for Broadway Marketplace: <ul style="list-style-type: none">a. Variance to reduce the required landscaping strip, along a portion of both the south and east property lines, from 6' to 0'.b. Variance to reduce the total required landscaping for the center from 10% to 8.6%.
<u>August 7, 1996.</u>	Design Review Board approved the building elevations, site and landscaping plan for Applebee's Restaurant, located at the northwest corner of Broadway Marketplace, subject to 23 conditions.
September 26, 1996.	City Council approved the request by Broadway Marketplace for a 4 th Amended General and Final Plan of Development for Applebees Restaurant with a variance to reduce the required side yard setback from 40' to 5' along the south property line.
<u>November 28, 2000.</u>	Planning Commission approved this proposal by a 7-0 vote on their consent agenda.

DESCRIPTION: Owner – Weingarten Realty, Miles Sanchez
Applicant – Neal Shiener
Architect – Shiener Day Associates
Existing zoning – PCC-1
Total site area – 7.96 acres
Total bldg. area – 92,885 s.f.
Ace Hardware total area (including addition) – 24,871 s.f.
Parking required – 433 spaces
Parking provided – 447
Max. allowed lot coverage – 26.2% (variance)
Proposed lot coverage – 25.55%

Use Permit

To allow a 4,644 s.f. outdoor retail area in the PCC-1 Zoning District

COMMENTS: The applicant is requesting an Amended General and Final Plan of Development for Broadway Market Place located at 929 East Broadway Road at the southeast corner of Rural and Broadway roads. The request is to expand the existing Ace Hardware facility 4,644 s.f. and for a use permit to allow outdoor retail in the PCC-1 Zoning District. The addition will be an open sided area with a covered roof located at the rear of the store and shopping center (similar to Home Depot type of exterior areas with the exception of landscaping material). The addition will also be compatible to the existing shopping center. It will have a low masonry wall (to match the existing center) with rough iron fencing up to a minimum of 10' above the ground with a roof above.

Staff believes this proposal would not negatively impact surrounding tenants or neighbors and would not be detrimental to the center, therefore staff recommends approval. To date, no public input has been received. Planning Commission approved this proposal by a 7-0 vote on their consent agenda, at their meeting on November 28, 2000.

**REASON(S) FOR
APPROVAL:**

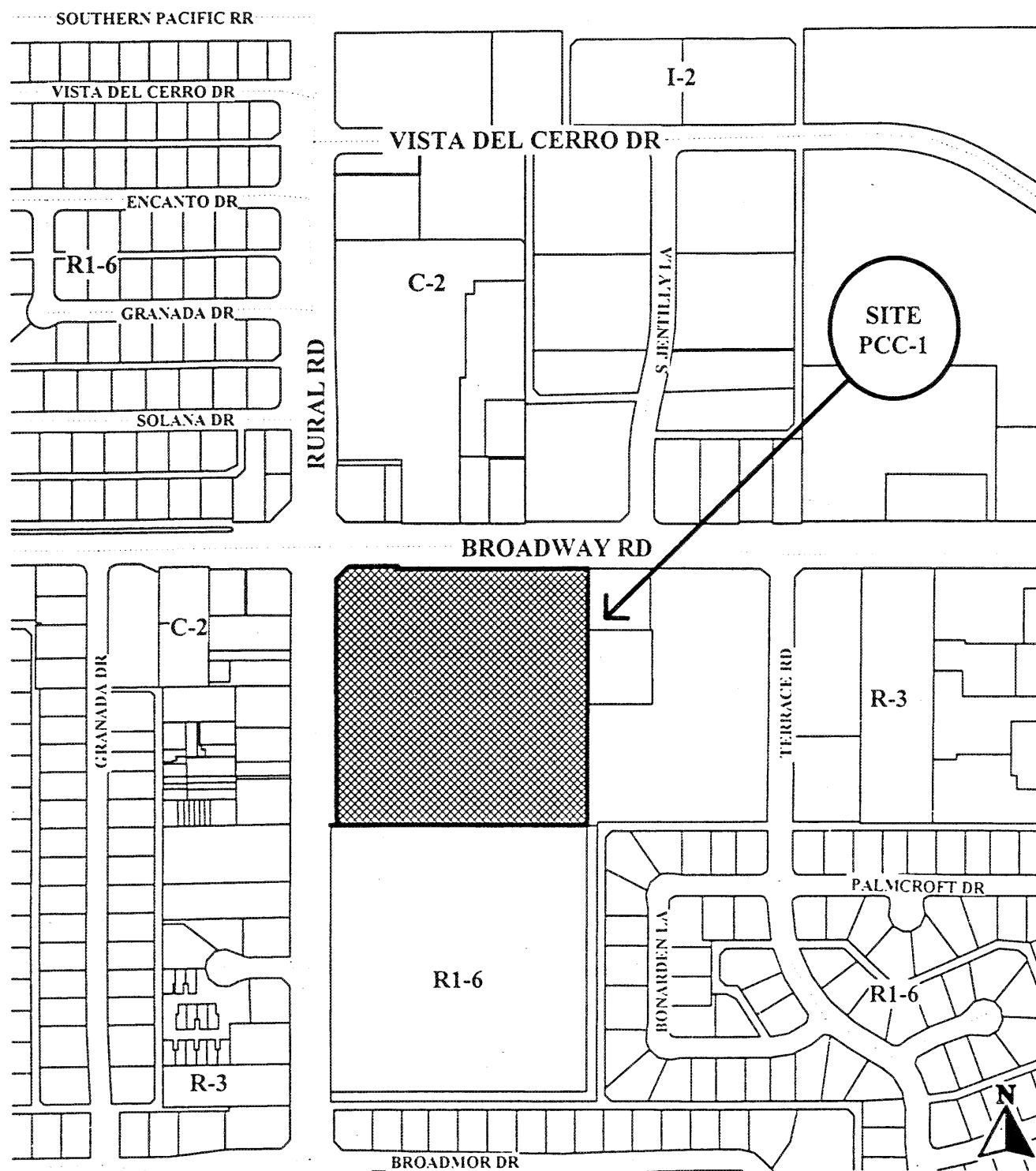
1. The proposed expansion appears to function in an acceptable manner and should have no detrimental effects on the center or adjacent properties.
2. The use permit appears compatible with other uses in the center and appears to pass the ordinance test for use permits.

**CONDITION(S)
OF APPROVAL:**

1. No variances may be created by future property lines without the prior approval of the City of Tempe.
2. A valid building permit shall be obtained and substantial construction commenced within one year of the date of Council approval or the use permit(s) shall be deemed null and void.
3. This project shall be reviewed by Design Review prior to the use permit(s) becoming effective. All conditions of the Tempe Design Review Board/Staff shall be adhered to.
4. This Amended General and Final Plan of Development shall be recorded prior to the issuance of permits, and shall show cross access to be maintained throughout this site over the driving aisles. No changes or modifications to the driving aisles will be allowed without the prior approval of the Engineering Department.
5. This Amended General and Final Plan of Development shall be put into proper engineered format with appropriate signature blocks and recorded with the Maricopa County Records' Office through the City of Tempe's Development Services Department. Details of the document format shall be reviewed by the Planning Division staff within Development Services prior to recordation by the Maricopa County Recorder. Failure to record the plan within one year of Council approval shall make the plan null and void.

ACE HARDWARE

SGF-2000.78



Location Map SEE OTHER SIDE FOR MORE INFORMATION

AGE MAJORITY

SERVICES, AND THE

BROADWAY MARINE PLACE LEGAL DESCRIPTION

[illegible]

CONDITIONS FOR APPROVAL (SGP 20 _____)

APPROVALS		APPROVED BY THE CITY PLANNING DEPARTMENT OF THE CITY OF HOUSTON, TEXAS		DATE	
		BY		DATE	
1. All previous conditions are approved and said map is approved for recording.		PLANNING DEPT. CHIEF	DATE		
2. All conditions of the design review board are approved as to		CITY CLERK	DATE		
		CITY RECORDS	DATE		
		DEVELOPMENT SERVICES	DATE		

ACROSS THE BORDER

[illegible]

PARRINO, GIOLIVETTI / ALCANTARA

[illegible]

CERTIFICATION

IDENTIFICATION

THAS IS TO EMPHATIC THAT THE SUBJECT OF THE PREMISE DESCRIBED AND PLATTED HEREON WAS MADE UNDER AN ORDER IN DISREGARDING THE MOUNT OF _____ 2005. ALSO THAT THE PLAT IS CORRECT AND ACCURATE, AND THAT THE INFORMATION DESCRIBED HEREON HAVE BEEN OBTAINED AS OF DATE 01/01/2005.

BY _____

REGISTERED LAND SURVEYOR

100

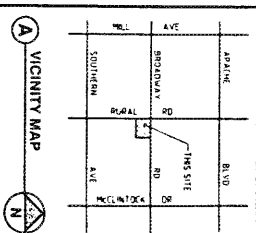
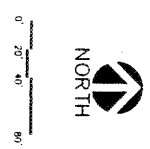
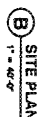
NOTARY PUBLIC

NATURAL PAPER

S6F-2000.78

ACE HARDWARE

SEC. 26, in. in, R. 4E, ect.



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2 OF 2 SHEETS

CONTRACT NO.
2000.07

PROJECT 4TH AND 5TH AMENDED GENERAL AND FINAL PLAN
FOR THE BROADWAY PLACE

THE BROADWAY MARKETPLACE
RURAL ROAD & BROADWAY ROAD
TEMPE, ARIZONA



shelner day associates, ltd.
architects interior design planning



PROJECT ARCHITECT	JMD
DRAFTSPERSON	ACC
CHECKER	JMD
CONSULTANT	

RELEASE DATE
10/20/00



SGF-2000.78

001 3 2000

NOTHING FROM
@ 6' 0"

SOUTH ELEVATION

CHU TO KACH EXISTING
SHOPPING CENTER

SLOPED ROOF

PLAN VIEW

72' 0"

3'-4" 9'-4"
14'-0"

sheiner day associates, ltd.
architecture • interior design • planning

OCT 31 2000

October 31, 2000

LETTER OF EXPLANATION/INTENT

RE: AMEND GENERAL/FINAL PLAN OF DEVELOPMENT & USE PERMIT
OUTDOOR RETAIL IN A PCC-1 ZONING
ACE HARDWARE - BROADWAY MARKET PLACE

To whom it may concern:

The purpose of this application is for a Use Permit to allow "Outdoor Retail" in a PCC-1 zone.

This retail area will be an extension of the existing Ace Hardware store at The Broadway Market Place. It will be similar in use to the "Home Depot" type of exterior areas with the exception of landscaping material. Building materials and other hardware items will be displayed out here.

It will be an open sided area with a covered roof. It will be at the rear of the store and shopping center.

It will not cause any negative vehicular or pedestrian to the shopping center. It will not cause any nuisance to the existing shopping center or the neighborhood.

The structure will be compatible to the existing shopping center. It will have a low masonry wall (to match existing center) with rough iron fencing up to a minimum of 10' above the ground with a roof above.

If you have any questions, please feel free to contact me at 602-242-4949.

Sincerely,


Neal Sheiner

NS/ms

file:intent2

